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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/738,984	12/19/2000	Ho Joong Jeong	P-164	2684

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EXAMINER

ZEWDU, MELESS NMN

ART UNIT

PAPER NUMBER

2683

DATE MAILED: 03/25/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/738,984	Applicant(s) JEONG, HO JOONG	
	Examiner Meless N Zewdu	Art Unit 2683	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 February 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-23 and 26-29 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-9,20-23 and 26 is/are allowed.
- 6) ☒ Claim(s) 10-13,15-18 and 27-29 is/are rejected.
- 7) ☒ Claim(s) 14 and 19 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. This action is in response to the communication filed on 2/28/05.
2. Claims 24 and 25 have been cancelled in the current amendment.
3. Claims 1-23 and 26-29 are pending in this action.
4. The allowability of claim 29 is vacated in view of the newly discovered references to Lee (US 6,213,008 B1) and Wittstein et al. (US 5,631,947).
5. Finality has been withdrawn.

Rejections based on the newly cited reference(s) follow.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 10-13 and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Meche et al. (Meche) (US 5,600,708) in view of Wittstein et al. (Wittstein) (US 5,631,947).

As per claim 10: a method for controlling phone-locking of a mobile communication terminal including the steps of;

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Receiving an order message reads on '708 (see col. 3, lines 16-22; col. 5, lines 20-45).

Reporting a lost terminal can be considered as an order since the end results of both the reporting and ordering are the same, which is having the lost terminal locked.

Checking whether the received order message is a message for phone-locking reads on '708 (see col. 5, lines 20-45).

Reading a password from a memory in case that the order message is a message for phone-locking, reads on '708 (see col. 3, lines 9-67; col. 5, lines 20-45; col. 6, lines 19-31; col. 11, line 10-col. 12, line 32). MT's executing internal UIM locking procedures includes reading a password from a memory.

Enabling a variable value for phone-locking, the phone locking restricting users from making calls from the terminal read on '708 (see col. 2, lines 10-31; col. 5, line 57-col. 9, line 9, line 42). List indicates variable value for phone-locking. According to the Meche's reference, the phone doesn't accept unauthorized UIMs and the mobile phone is unusable with unauthorized user since it (the phone) is locked to be used with a specific (authorized) UIM (see col. 2, lines 27-31). In other words, the UIM lock restricts unauthorized users from making calls. Meche also discloses that a lock function commonly has four to eight digits pin code (see col. 2, lines 10-13). But, Meche does not explicitly teach about --- setting the back four digits of the user's phone number as a password to be used for releasing the phone-lock, as claimed by applicant. However, in a related field of endeavor, Wittstein teaches that the use of the last four digits of a given phone number is common in the art, although less secured (see col. 19, lines 41-53). Hence, it would have been obvious for one of ordinary skill in the art at the time the

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invention was made to use the four digits of a phone number a lock code since it is known in the art.

As per claim 11: the method wherein the order message is transmitted from a mobile communication service provider through a base station to the lost terminal reads on '708 (see col. 2, lines 1-22; col. col. 5, lines 5-11).

As per claim 12: the method wherein the order message for phone-locking comprising:

A message type field reads on '708 (see col. 9, lines 12-43).

A protocol type field reads on '708 (see figs. 5a and 5b; col. 7, lines 11-18).

An order specific field reads on '708 (see col. 9, lines 22-42). Each of the codes in the recited paragraph represents 'order specific field' associated with a message.

As per claim 13: the method wherein the terminal judges of the order message for phone-locking on the basis of the order specific field value of the order message reads on '708 (see col. 8, lines 57-67; col. 9, lines 22-42).

As per claim 27: the method further comprising disabling the phone-lock based on a password reads on '708 (see col. 2, lines 14-17). According to the reference the MT does not accept unauthorized UMI and thereby does not function (see col. 1, lines 39-49). Hence, a non-function terminal is a disabled terminal, as far as unauthorized user is concerned.

Claims 15-18 and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Meche in views of Chesnutt (US 5,966,081) and Wittstein.

As per claim 15: a method for controlling phone-locking of a mobile communication terminal comprising the steps of;

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transmitting an order message to a phone-locking request reads on '708 (see 3, lines 16-22; col. 4, lines 10-20; col. 4, line 66-col. 5, line 1). The prior art advantageously teaches that a network can remotely enable and disable if a mobile station is reported stolen/and or by detecting misuse of the device and making follow up using three lists (see col. 4, lines 10-20).

Setting the state of the lost terminal as a phone-locked state according to the transmitted order message reads on '708 (see col. 2, lines 1-31; col. 3, lines 16-22, lines 49-52; col. 11, line 10-col. 12, line 32), wherein setting a phone-lock state comprises:

Receiving an order message reads on '708 (see col. 3, lines 16-22; col. 5, lines 20-45).

Checking whether the received message is a message for phone-locking reads on '708 (see col. 5, lines 20-45; col. 11, line 10-col. 12, line 32).

Reading a password from a memory in case that the order message is a message for phone-locking reads on '708 (see col. 3, lines 9-67; col. 5, lines 20-45; col. 6, lines 19-31; col. 11, line 10-col. 12, line 32). MT's executing internal UIM locking procedures includes reading a password from a memory.

Enabling a variable value for phone -locking, the phone locking restricting users from making calls from the terminal reads on '708 (see col. 2, lines 1-31; col. 5, line 57-col. 9, line 9, line 42). List indicates variable value for phone-locking. But, Meche does not explicitly teach about transmitting an order message to a lost terminal in response to a receiving a request signal from a user, as claimed by applicant. However, in a related field of endeavor, Chesnutt teaches about a paging activated electronic security system,

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wherein an antitheft system is provided to render an electronic device inoperable via a paging network in response to the owner's request for such an action upon discovering that the electronic device was lost (see col. 2, line 27-col. 3, line 47). Although Chesnutt's reference is focused onto laptop computers, it is taught that any electronic device controlled by a microprocessor can benefit from the system (see col. 2, lines 3236). Since mobile phones are electronic devices controlled by a microprocessor, the two references are combinable. Therefore, it would have been obvious for one of ordinary skill in the art at the time the invention was made to modify Meche's reference with Chesnutt's teaching for the advantage of providing a low cost antitheft system that can render a stolen equipment inoperable (see col. 1, lines 38-42). But, Meche in view of Chesnutt, do not explicitly teach about setting digits of the user's phone number as a password to be used for releasing the phone-locking state; and releasing the phone-locking after entry of the password, as claimed by applicant. However, in a related field of endeavor, Wittstein teaches about the use of digits of a user's telephone number for setting a password to lock/unlock a phone (see col. 19, lines 41-53). Hence, it would have been obvious for one of ordinary skill in the art at the time the invention was made to use the four digits of a phone number as phone- lock/unlock code since it is known in the art, as described by Wittstein.

As per claim 16: the method wherein the step of transmitting an order message comprising the steps of:

Transmitting an order message to a lost terminal reads on '708 (

Receiving a response signal to the order message from the lost terminal reads on '708 (

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Transmitting an order message acknowledge signal to the lost terminal, when the response signal is received

As per claim 17: the features of claim 17 are similar to the features of claim 12. Hence, claim 17 is rejected on the same ground as claim 12.

As per claim 18: the method wherein the terminal recognizes the order message for phone-locking when the order specific field value of the order message is a predetermined value reads on '708 (see col. 9, lines 22-42).

As per claim 28: the method further comprising disabling the phone-lock based on a password reads on '708 (see col. 2, lines 14-17). According to the reference the MT does not accept unauthorized UMI and thereby does not function (see col. 1, lines 39-49). Hence, a non-function terminal is a disabled terminal, as far as unauthorized user is concerned.

Claim 29 is rejected under 35 U.S.C. 103(a) as being unpatentable over Meche in views Chesnutt and Lee(US 6,216,008 B1).

As per claim 29: a method for controlling phone-locking of a mobile communication terminal comprising:

Transmitting an order message of phone-locking to a lost terminal reads on '708 (see col. 2, lines 1-31; col. 11, line 10-col. 12, line 32).

Setting a phone-locked state for the lost terminal reads on '708 (see abstract; col. 2, lines 1-31; col. 11, line 10-col. 12, line 32). But, Meche does not explicitly teach about receiving a phone-locking request signal from a user in response to which a lost terminal is locked, as claimed by applicant. However, in a related field of endeavor,

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Chesnutt teaches about a paging activated electronic security system, wherein an antitheft system is provided to render an electronic device inoperable via a paging network in response to the owner's request for such an action upon discovering that the electronic device was lost (see col. 2, line 27-col. 3, line 47). Although Chesnutt's reference is focused onto laptop computers, it is taught that any electronic device controlled by a microprocessor can benefit from the system (see col. 2, lines 3236). Since mobile phones are electronic devices controlled by a microprocessor, the two references are combinable. Therefore, it would have been obvious for one of ordinary skill in the art at the time the invention was made to modify Meche's reference with Chesnutt's teaching for the advantage of providing a low cost antitheft system that can render a stolen equipment inoperable (see col. 1, lines 38-42). But, Meche in view of Chesnutt do not explicitly teach the difference feature/s reciting --- receiving a response signal to the order message from the lost terminal; and transmitting an order message acknowledge signal to the lost terminal, when the response signal is received, as claimed by applicant. However, in a related field of endeavor, Lee teaches about a method and system wherein a mobile terminal transmits a short message to a network (BS or MSC) in response to which the MSC transmits ACK short message (see col. 2, line 10-col. 3, line 18). Therefore, it would have been obvious for one of ordinary skill in the art at the time the invention was made to modify the above references with the teaching of Lee for the advantage of determining whether or not a transmission error has occurred.

Response to Arguments

Applicant's arguments with respect to claims 10-13, 27, 15-18, 28 and 29 have been considered but are moot in view of the new ground(s) of rejection.

Allowable Subject Matter

Claims 1-9, 20-23 and 26 are allowed.

The following is an examiner's statement of reasons for allowance:

As per claims 1-9, 20-23 and 26: the claims are directed to remotely locking a lost/stolen phone. The prior art of record does not teach or fairly suggest setting and storing a representation of the user's phone number as a password to be used by the user for releasing phone-locking, if the user has not set a password for phone locking or if a set password is '0000'. In other words, the system has to determine if a user has or has not set a password for phone-locking or if the set password for phone-locking is '0000' and if no phone-locking password is set by the user or if the phone-locking password is '0000', it sets the user's phone-number as a default password to enable the user get access his/her phone.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Claims 14 and 19 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Meless N Zewdu whose telephone number is (703) 306-5418. The examiner can normally be reached on 8:30 am to 5:00 pm..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Trost can be reached on (703) 308-5318. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.


Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Meless Zewdu

M. Z.

Examiner

17 March 2005.


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